

REPRESENTATION PETITION

 Is this an amended petition? ☐ Yes ☒ No If yes, provide the case number: _____

PARTIES Include information for all parties involved.

EMPLOYER Graham Fire & Rescue

Contact Annie Vandenkooy

Title Chief of HR

Address 23014 70th Ave E

City, State, ZIP Graham, WA 98338

Phone 253-847-8811 **Ext.** _____

Email avandenkooy@grahamfire.org

PETITIONER GFR Prof. Fire Service Admin Guild

Contact Michelle Greco

Title President

Address 10012 187th St E

City, State, ZIP Puyallup, WA 98375

Phone 253-229-1543 **Ext.** _____

Email mmgreco@yahoo.com

CURRENT BARGAINING REPRESENTATIVE

(If One Exists) _____

Contact _____

Title _____

Address _____

City, State, Zip _____

Phone _____ **Ext.** _____

Email _____

TYPE OF REQUEST Select ONE of the following.

- ☒ **NEW ORGANIZING** to be certified as the representative of employees currently unrepresented.
- ☐ **ADD UNREPRESENTED EMPLOYEES** to an existing bargaining unit as described in WAC 391-25-440.
- ☐ **CHANGE REPRESENTATIVE** of existing bargaining unit.
- ☐ **REMOVE REPRESENTATIVE** of existing bargaining unit.

BARGAINING UNIT

For a new organizing petition, fill out section 2. For a petition to add unrepresented employees, fill out **both** sections 1 and 2. For a petition to change or remove the representative, fill out section 1.

SECTION 1—Describe the Existing Bargaining Unit:

Number of Employees in Existing Unit _____

SECTION 2—Describe the Proposed Bargaining Unit:

Number of Employees in Proposed Unit 5

If a CBA exists, what is the expiration date? _____

SHOWING OF INTEREST

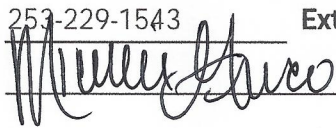
A showing of interest indicating the support of at least 30 percent of the employees in the bargaining unit must be filed with the petition. **See instructions for more information.**

PETITIONER REPRESENTATIVE

Name Michelle Greco

Address 3733 E I St

Phone 253-229-1543 **Ext.** _____

Signature 

Title President

City, State, ZIP Tacoma, WA 98404

Email mmgreco@yahoo.com

Date 02/02/2023

**GFR PROFESSIONAL FIRE SERVICE ADMINISTRATION
GUILD AT GRAHAM FIRE & RESCUE
EIN:**

**CONSTITUTION
AND
BYLAWS**

Adopted February 2023

CONTENTS

Article I	Name
Article II	Authority
Article III	Jurisdiction
Article IV	Membership
Article V	Meetings
Article VI	Election of Officers
Article VII	Officers' Duties
Article VIII	Revenue
Article IX	Finances
Article X	Amendments
Article XI	Dissolution
Article XII	Conflict of Interest Policy

ARTICLE I – NAME

Section 1 – Name

The name of this organization shall be:
GFR Professional Fire Service Administration Guild

Section 2 – References

Reference in this Constitution and Bylaws to “Guild” shall refer to the Guild as set forth in Section 1 above.

ARTICLE II – AUTHORITY

This Guild, its officers, representatives and members, shall recognize, observe and be bound by the provisions of this Constitution and Bylaws, and the resolutions, decisions and directives of the Executive Board.

ARTICLE III – JURISDICTION

The Guild’s jurisdiction shall be as follows: All full-time and part-time paid employees of Pierce County Fire District No. 21 engaged in administrative support or related services.

ARTICLE IV – MEMBERSHIP

Section 1 – Active

Any person who at the time of making application is engaged in service within the jurisdiction of this Guild, as given in Article III, will be eligible for active membership. Those eligible become active members when they opt in to Guild membership.

Section 2 – Affiliate

Any person outside of the bargaining unit who is engaged in service within the jurisdiction of this Guild, as given in Article III, will be eligible for affiliate membership. Affiliate members shall have no voice or vote in the Guild.

Section 3 – Active-Retired

Any person who retires from the service within the jurisdiction of this Guild, as given in Article III, will be eligible for active-retired membership. Active-retired members shall have no voice or vote in the Guild.

Section 4 – Honorary

For meritorious service to this Guild or for distinguished public service, persons may be elected honorary members by majority vote. Honorary members shall not pay initiation fees, dues or other charges and shall have no voice or vote in the Guild. Such membership may be revoked for cause.

Section 5 – Anti-Discrimination

Anyone eligible for membership in the Guild shall not be refused membership or, upon acceptance, be discriminated against because of age, marital or family status, race, color, creed, religion, national origin, gender, sexual orientation, gender identity or expression, Guild affiliation, and/or mental, sensory or physical ability.

Section 6 – Maintenance of Good Standing

Membership in good standing includes any person who has fulfilled the requirements for membership in this Guild and who has not voluntarily withdrawn, become ineligible for continued membership, or been suspended or expelled as provided in the Constitution and Bylaws of this Guild.

Section 7 – Separation

When any member in good standing becomes separated from the fire service or is precluded by law or contract from maintaining Guild membership by virtue of their fire department position within this Guild's jurisdiction, the Guild shall issue a withdrawal card upon request of said member.

Section 8 – Delinquent Members

Members who fail to pay their monthly dues or assessments by the fifteenth day following the month such dues are payable shall be notified by a Guild officer that they are delinquent and will automatically be suspended and lose their good standing if payment is not made within sixty days following such notification. Delinquent and/or suspended members are not entitled to voice or vote in the Guild.

Section 9 – Opt-Out

A person eligible for active membership, as given in Article IV, Section 1, may choose to opt out of active membership. Those who opt out of Guild membership shall have no voice or vote in the Guild until they opt in and pay all initiation fees and reinstatement fees, as given in Article VIII, Sections 1 and 4.

ARTICLE V – MEETINGS

Section 1 – Regular Meetings

Regular meetings of the Guild shall be held quarterly, on the second Tuesday of the second month at 5:00 p.m., beginning with the first month of each calendar year. These meetings may be rescheduled by a majority vote of the Executive Board or by a majority vote of the members in good standing at a regular meeting. All members in good standing shall be notified in writing of the date, time and place of the rescheduled meeting at least ten days prior to such meeting taking place. Written notification shall be accomplished by emailing each member in good standing.

Section 2 – Special Meetings

Special meetings may be called by a majority vote of the Executive Board. All members in good standing shall be notified in writing of the date, time and place of such special meeting at least ten days prior to such meeting taking place. The notice shall state the business to be considered

at such meeting and no other business than that stated shall be in order at such meeting. Written notification shall be accomplished by emailing each member in good standing.

Section 3 – Ratification Meetings

A special meeting shall be required for ratification votes on collective bargaining agreement packages. All members in good standing within the affected bargaining unit shall be notified in writing of the date, time and place of such special meeting at least ten days prior to such meeting taking place. Written notification shall be accomplished by emailing each member in good standing within the affected bargaining unit. A synopsis of the proposed changes to the collective bargaining agreement shall be included with the special meeting notice. Ratification of such collective bargaining agreement packages shall be obtained by a simple majority vote by secret ballot of those members in attendance (50% + 1).

Section 4 – Executive Board Meetings

The Executive Board shall meet monthly and as may be needed. It shall meet at the call of the President or a majority of its Executive Board members.

Section 5 – Quorum

A quorum for any meeting of this Guild shall be fifty percent (50%), rounded down to the nearest whole number, of non-Executive Board members in good standing (as defined in Article IV, Section 1 of this Constitution and Bylaws). In addition, no less than two Executive Board Officers shall be present to constitute a quorum at regular, special, and/or Executive Board meetings.

Section 6 – Rights of Members

Every member in good standing shall have the right to attend any meeting and to participate in such meeting in accordance with “Robert’s Rules of Order.” Members shall conduct themselves in such a manner as not to interfere with the legal or contractual obligations of this Guild.

ARTICLE VI – ELECTION OF OFFICERS

Section 1 – Executive Board Officers

The officers of this Guild shall consist of a President, Vice President and Secretary/Treasurer. The President, Vice President and Secretary/Treasurer shall be elected by members of the Guild at large for terms of three years, elected annually on a rotating basis. All officers of the Guild shall hold office until the election and installation of their successors, unless removed from office as provided in the Constitution and Bylaws of this Guild.

Section 2 – Eligibility for Office

Any member in good standing, as defined in Article IV, Section 1 of this Constitution and Bylaws, shall be eligible to be a candidate for office in this Guild.

Section 3 – Rights of Candidates

Every candidate for office shall have the right to request the distribution of campaign literature to all members in good standing, at the candidates’ own personal expense. There shall be no discrimination in favor of or against any candidate with regard to the use of membership lists.

Section 4 – Use of Funds Prohibited

None of this Guild's funds shall be used to promote the candidacy of any person over another in the election of officers. This section does not prevent the expenditure from Guild funds for notices, factual statements of issues, and other necessary expenses to conduct elections so long as they do not involve promotion of any particular candidate.

Section 5 – Nominations

Nominations for the positions of President, Vice President and Secretary/Treasurer, shall take place at the regular November Guild meeting after all members in good standing have been notified in writing at least thirty days in advance of the meeting. Written notification shall be accomplished by emailing each member in good standing. Any member in good standing may nominate eligible members for office. All nominations shall require a second in order to be valid. If there is only one candidate nominated for a given position, such candidate shall be declared elected.

Section 6 – Elections

Elections for the positions of President, Vice President and Secretary/Treasurer, shall be by secret ballot. Proxy or write-in voting shall not be allowed. Ballots shall be emailed to each member in good standing, as defined in Article IV, Section 1 of this Constitution and Bylaws, no later than November 20th. Such ballots must be returned to the Executive Board no later than December 5th. The candidate receiving a majority of the ballots cast shall be declared elected. If no candidate receives a majority of the ballots cast, there will be a run-off election between the two candidates who received the most votes. If the final ballot of any officer election results in a tie between the candidates, the winning candidate for office shall be selected by a coin toss in the presence of both candidates.

Section 7 – Election Committee

The Election committee shall be the Executive Board. The Election Committee shall be responsible for distributing and tabulating ballots. Each candidate for office shall be entitled to appoint one observer who shall be permitted to witness the manner of distribution and casting of ballots and attend the meeting of the Election Committee at which the votes are tabulated.

Section 8 – Ballots

Ballots and all other records of an election shall be preserved by the Secretary/Treasurer of this Guild for one year following elections.

Section 9 – Vacancies

When the office of President, Vice President or Secretary/Treasurer becomes vacant by reason of the death, resignation, or removal of the incumbent, the Executive Board shall elect a successor by majority vote, no later than thirty days from the date the office is vacated. The term for all successors elected to fill a vacancy as described above continues until the end of their predecessor's natural term.

ARTICLE VII – OFFICERS’ DUTIES

Section 1 – President

It shall be the duty of the President to preside at all meetings of the Executive Board. The President shall be the executive head of the Guild. The President shall appoint such committees as may be provided for in this Constitution and Bylaws and such special committees as may be authorized by the Guild. Together with the Secretary/Treasurer, either the President or the Vice President shall sign all orders and checks lawfully and properly drawn. The President shall enforce strict observance of the Constitution and Bylaws of this Guild and have general supervision of the activities of the other officers and chairs of committees. The President shall discharge on behalf of the Guild such duties as may be imposed upon him or her by applicable law, including the execution and filing of any reports to Federal or State authorities, and shall cause to be maintained by the Guild such records as the law requires to be kept in support of reports filed by it.

Section 2 – Vice President

The Vice President shall assist the President in such a manner as the President may determine. In the absence of the President, the Vice President shall preside at meetings of the Guild and of the Executive Board. If the office of President becomes vacant, the Vice President shall be the acting President until the office of President is filled by the Executive Board. The Vice President shall serve as the Public Relations Director and the Political Action Director for this Guild.

Section 3 – Secretary/Treasurer

The Secretary/Treasurer shall have custody of all documents, records, books and papers belonging to the Guild, except as may be otherwise provided by this Constitution and Bylaws. The Secretary/Treasurer shall keep an accurate record of meetings of the Guild and of the Executive Board, attest all official documents with a signature and the seal of the Guild, and conduct the Guild’s correspondence promptly. The Secretary/Treasurer shall receive all money due the Guild, from whatsoever source, and shall disburse the same in accordance with an annual budget as given in Article IX of this Constitution and Bylaws. Such disbursement shall be by automatic draft or by check, which shall also be signed by the President or Vice President. The Secretary/Treasurer shall maintain and keep current an official list of members in good standing with a record of their dues payments and assessments, as well as all financial transactions promptly and accurately entered. The Secretary/Treasurer shall discharge on behalf of the Guild such duties as may be imposed upon him by applicable law, including the execution and filing of any reports to Federal or State authorities, and shall cause to be maintained by the Guild such records as the law requires to be kept in support of reports filed by it. He or she shall be prepared to exhibit receipts and other pertinent information upon the audit of the books.

Section 4 – Executive Board

The Executive Board shall consist of the President, Vice President and Secretary/Treasurer. It shall be the duty of the Executive Board to exercise general supervision and control of the invested funds and property of the Guild. It shall have the authority to act in the name of the Guild during intervals between meetings, such acts being subject to confirmation by the membership at the next regular meeting of the Guild.

Section 5 – Bond

All officers and employees of the Guild who handle funds or property of the Guild shall be bonded. The bond of this Guild shall not be less than ten percent (10%) of all liquid assets and handled funds during a calendar year, in compliance with applicable law.

Section 6 – Removal of an Officer

Any officer elected or appointed may be removed from office by a vote of the members in good standing attending a regular or special meeting, provided the number of votes in favor of removal represents at least two thirds of the total body of active Guild members in good standing.

ARTICLE VIII – REVENUE

Section 1 – Initiation Fees

Initiation fees shall be paid in the amount of \$20.00 when opting in to Guild membership.

Section 2 – Monthly Dues

Monthly dues shall be paid directly from members' paychecks via automatic payroll deductions. Dues collected shall be for the upcoming month. Monthly dues shall be calculated as follows:

- a. Active members shall pay 1.0% of their base plus an additional \$20.00. Upon the retirement of an active member in good standing, these dues shall not be deducted from the retiring member's final paycheck.
- b. Affiliate members shall pay dues of \$30.00 per month.
- c. Active-Retired members shall pay dues of \$10.00 per month.

Section 3 – Assessments

Assessments may be made at a regular or special meeting provided that all members in good standing are notified in writing of the proposed assessment at least thirty days in advance of the meeting at which the vote will be taken. Written notification shall be accomplished by emailing each member in good standing. The proposed assessment shall be adopted upon a majority vote by secret ballot of the members present.

Section 4 – Reinstatement Fees

If a person eligible for active guild membership has opted out and chooses to opt in, the member shall pay all back dues and assessments accumulated while the member was simultaneously opted out and eligible for active membership.

Section 5 – Changing Fees

Changes in the rate of initiation fees, reinstatement fees, dues or assessments may be made at a regular or special meeting, provided that all members in good standing are notified in writing of the proposed change at least thirty days in advance of the meeting at which the vote will be taken. Written notification shall be accomplished by emailing each member in good standing. The proposed change shall be adopted upon a majority vote by secret ballot of the members present.

ARTICLE IX – FINANCES

Section 1 – Budget

The Secretary/Treasurer shall prepare an annual budget and present it to the membership for approval prior to the end of the fiscal year. The fiscal year for this Guild shall be from January 1 through December 31. House funds shall not be included in the budget.

Section 2 – Expense Policy

The Guild shall maintain and abide by a comprehensive expense policy, which shall be presented to the membership for review and adoption annually in conjunction with the annual budget.

Section 3 – Legal Fund

A legal fund shall be established and maintained by this Guild. The legal fund shall only be used for legal matters that could impact the Guild. A minimum of two percent of the annual budget shall be deposited into this fund prior to the end of each fiscal year.

Section 4 – Reserve Fund

A reserve fund shall be established and maintained by this Guild. All initiation fees and any overages from the previous annual budget shall revert to the reserve fund. The reserve fund may be used after a majority vote of the members in good standing attending a regular or special meeting or by a majority vote of the Executive Board.

ARTICLE X – AMENDMENTS

Section 1 – Proposed Amendments

Proposed amendments to this Constitution and Bylaws may only be submitted by a majority vote of the Executive Board OR by a majority vote of members in attendance at a regular meeting.

Section 2 – Voting on Amendments

This Constitution and Bylaws made under its provisions, may be amended by a two-thirds vote. Proposed amendments shall be voted on by a show of hands, except for those proposed amendments addressed in Article VIII, which require a vote by secret ballot. Voting on a proposed amendment shall take place at a regular or special meeting provided that all members in good standing are notified in writing of the proposed amendment at least thirty days in advance of the meeting at which the vote will be taken. Written notification shall be accomplished by emailing each member in good standing.

ARTICLE XI – DISSOLUTION

Section 1 – Dissolution

Except as hereafter provided, the Guild may be dissolved and its affairs wound up voluntarily by written request of the majority of the total members of the Guild. The Executive Board shall thereupon take such action necessary to carry out the dissolution of the Guild in accordance with

the applicable provisions of Title 24 of the Revised Code of Washington, Section 2 below, and the Articles of Incorporation.

Section 2 – Distribution of Assets

Upon the dissolution of the Guild, assets shall be distributed for one or more exempt purposes within the meaning of section 501 (c)(5) of the Internal Revenue Code, or the corresponding section of any future federal tax code, or shall be distributed to the federal government, or to a state or local government, for any public purpose. Any such assets not so disposed of shall be disposed by a Court of Competent Jurisdiction of the county in which the principle office of the Guild is located, exclusively for such purposes or to such organization or organizations, as said Court shall determine, which are organized and operated exclusively for such purposes.

ARTICLE XII – CONFLICT OF INTEREST POLICY

Section 1 - Purpose

The purpose of the conflict of interest policy is to protect this tax-exempt organization's interest when it is contemplating entering into a transaction or arrangement that might benefit the private interest of any member of the Guild or might result in a possible excess benefit transaction. This policy is intended to supplement but not replace any applicable state and federal laws governing conflict of interest applicable to nonprofit and charitable organizations.

Section 2 - Definitions

1. Interested Person - Any principal officer or member of a committee with governing board-delegated powers, who has a direct or indirect financial interest, as defined below, is an interested person.
2. Financial Interest - A person has a financial interest if the person has, directly or indirectly, through business, investment, or family:
 - a. An ownership or investment interest in any entity with which the Guild has a transaction or arrangement,
 - b. A compensation arrangement with the Guild or with any entity or individual with which the Guild has a transaction or arrangement, or
 - c. A potential ownership or investment interest in, or compensation arrangement with, any entity or individual with which the Guild is negotiating a transaction or arrangement.

Compensation includes direct and indirect remuneration as well as gifts or favors that are not insubstantial. A financial interest is not necessarily a conflict of interest. A person who has a financial interest may have a conflict of interest only if the appropriate governing board or committee decides that a conflict of interest exists.

Section 3 – Procedures

1. Duty to Disclose - In connection with any actual or possible conflict of interest, an interested person must disclose the existence of the financial interest and be given the opportunity to disclose all material facts to the Executive Board and members of committees with governing board-delegated powers considering the proposed transaction or arrangement.

2. Determining Whether a Conflict of Interest Exists - After disclosure of the financial interest and all material facts, and after any discussion with the interested person, he/she shall leave the governing board or committee meeting while the determination of a conflict of interest is discussed and voted upon. The remaining board or committee members shall decide if a conflict of interest exists.
3. Procedures for Addressing the Conflict of Interest
 - a. An interested person may make a presentation at the governing board or committee meeting, but after the presentation, he/she shall leave the meeting during the discussion of, and the vote on, the transaction or arrangement involving the possible conflict of interest.
 - b. The chairperson of the governing board or committee shall, if appropriate, appoint a disinterested person or committee to investigate alternatives to the proposed transaction or arrangement.
 - c. After exercising due diligence, the governing board or committee shall determine whether the Guild can obtain with reasonable efforts a more advantageous transaction or arrangement from a person or entity that would not give rise to a conflict of interest.
 - d. If a more advantageous transaction or arrangement is not reasonably possible under circumstances not producing a conflict of interest, the governing board or committee shall determine by a majority vote of the disinterested Executive Board members whether the transaction or arrangement is in the Guild's best interest, for its own benefit, and whether it is fair and reasonable. In conformity with the above determination, it shall make its decision as to whether to enter into the transaction or arrangement.
4. Violations of the Conflicts of Interest Policy
 - a. If the governing board or committee has reasonable cause to believe a member has failed to disclose actual or possible conflicts of interest, it shall inform the member of the basis for such belief and afford the member an opportunity to explain the alleged failure to disclose.
 - b. If, after hearing the member's response and after making further investigation as warranted by the circumstances, the governing board or committee determines the member has failed to disclose an actual or possible conflict of interest, it shall take appropriate disciplinary and corrective action.

Section 4 – Records of Proceedings

The minutes of the governing board and all committees with board-delegated powers shall contain:

1. The names of the persons who disclosed or otherwise were found to have a financial interest in connection with an actual or possible conflict of interest, the nature of the financial interest, any action taken to determine whether a conflict of interest was present, and the governing board's or committee's decision as to whether a conflict of interest in fact existed.
2. The names of the persons who were present for discussions and votes relating to the transaction or arrangement, the content of the discussion, including any alternatives to the proposed transaction or arrangement, and a record of any votes taken in connection with the proceedings.

Section 5 – Compensation

1. A voting member of the governing board who receives compensation, directly or indirectly, from the Guild for services is precluded from voting on matters pertaining to that member's compensation.
2. A voting member of any committee whose jurisdiction includes compensation matters and who receives compensation, directly or indirectly, from the Guild for services is precluded from voting on matters pertaining to that member's compensation.
3. No voting member of the governing board or any committee whose jurisdiction includes compensation matters and who receives compensation, directly or indirectly, from the Guild, either individually or collectively, is prohibited from providing information to any committee regarding compensation.

Section 6 – Annual Statements

Each Executive Officer and member of a committee with governing board-delegated powers shall annually sign a statement, which affirms such person:

1. Has received a copy of the conflicts of interest policy,
2. Has read and understands the policy,
3. Has agreed to comply with the policy, and
4. Understands the Guild is charitable, and in order to maintain its federal tax exemption, it must engage primarily in activities which accomplish one or more of its tax-exempt purposes.

Section 7 – Periodic Reviews

To ensure the Guild operates in a manner consistent with charitable purposes and does not engage in activities that could jeopardize its tax-exempt status, periodic reviews shall be conducted. The periodic reviews shall, at a minimum, include the following subjects:

1. Whether compensation arrangements and benefits are reasonable, based on competent survey information and the result of arm's length bargaining.
2. Whether partnerships, joint ventures, and arrangements with management organizations conform to the Guild's written policies, are properly recorded, reflect reasonable investment or payments for goods and services, further charitable purposes and do not result in inurement, impermissible private benefit or in an excess benefit transaction.

Section 8 – Use of Outside Experts

When conducting the periodic reviews as provided for in Section 7 above, the Guild may, but need not, use outside advisors. If outside experts are used, their use shall not relieve the governing board of its responsibility for ensuring periodic reviews are conducted.

~ END ~

From: [MICHELLE GRECO](#)
To: [PERC, Filing \(PERC\)](#)
Subject: Representation Petition
Date: Thursday, February 2, 2023 8:55:14 PM
Attachments: GFR Bylaws Feb. 2023.pdf
scan0006.pdf
scan0007.pdf

External Email

Good evening,

Please see attached forms.

I can be reached at 253-229-1543.

Thank you,
Michelle Greco
GFR Professional Fire Service Admin. Guild
President

Sent from [Mail](#) for Windows